

## **AGENDA**

### **BOARD OF MAYOR AND ALDERMEN**

**May 3, 2005**

**7:30 PM  
Aldermanic Chambers  
City Hall (3<sup>rd</sup> Floor)**

1. Mayor Baines calls the meeting to order.
2. The Clerk calls the roll.
3. Mayor Baines to present Proclamation for Municipal Clerk's Week.
4. Presentation by Attorney David Nixon relative to the William B. Cashin Senior Activities Center fundraising efforts.
5. Report of the Committee on Lands and Buildings:  
Recommending that the Black Brook Maxwell Pond Stream Restoration Proposal be referred to the full Board of Mayor and Aldermen for presentation.

### **CONSENT AGENDA**

6. Mayor Baines advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

**Ratify and Confirm Poll Conducted**

- A. On April 22, 2005 approving the referral of a supplemental appropriating resolution for Airport to public hearing on Tuesday, May 3, 2005 at 6:30 PM in the Aldermanic Chambers (unanimous).

**Approved under the Supervision of the Department of Highways**

- B. PSNH Petition #11-064 (two poles 29/7-1 and 8-1) located on Route 101.

**Informational – to be Received and Filed**

- C. Communication from Leo Bernier, City Clerk, thanking the Board for their investment in the City Clerk's office.

**REFERRALS TO COMMITTEES**

**COMMITTEE ON COMMUNITY IMPROVEMENT**

- D. Petition submitted by John Tenn, on behalf of residents and neighbors of Whitford Street and Walnut Hill Ave. Extension, requesting the City to investigate and correct the lack of storm and sewer drains on Walnut Hill Ave. Extension.

**COMMITTEE ON FINANCE**

- E. Supplemental Appropriating Resolution:

“A Resolution providing for supplemental appropriations to the Manchester Airport Authority from Special Airport Revenue Funds for Fiscal Year 2005 in the amount of \$4,500,000.”

**F. Resolution:**

“Establishing a Non-Capital Reserve Account pursuant to RSA 34:1-a.”

**REPORTS OF COMMITTEES**

**COMMITTEE ON ACCOUNTS, ENROLLMENT  
AND REVENUE ADMINISTRATION**

- G.** Recommending that the 3<sup>rd</sup> quarter FY2005 write-off list for the accounts received module be approved.
- H.** Advising that it has accepted the City’s unaudited Quarterly Treasurer’s Report for the period ending December 31, 2004.
- I.** Advising that it has accepted the City’s Monthly Financial Statements for the nine months ended March 31, 2005 submitted by the Finance Department, and is forwarding same to the Board for information purposes.
- J.** Advising that it has accepted the following Finance Department reports:
- a) department legend;
  - b) open invoice report over 90 days by fund;
  - c) open invoice report all invoices for interdepartmental billings only;
  - d) open invoice report all invoices due from the School Dept. only;
  - e) listing of invoices submitted to City Solicitor for legal determination; and
  - f) accounts receivable summary.
- and is forwarding same to the Board for informational purposes.

## **COMMITTEE ON LANDS AND BUILDINGS**

- K.** Recommending that an Air Rights Lease agreement, as enclosed herein, between the City of Manchester and Catholic Medical Center granting the right to cross McGregor Street be granted and approved subject to conditions set forth and that the Mayor be authorized to execute same, subject to final review and approval of the City Solicitor.

Conditions of execution of agreement shall include internal review and approval of City Solicitor, Highway, Traffic, Planning, Building and Risk Management and subject to meeting any contingencies of the Planning and Zoning Boards.

- L.** Recommending that in order to provide additional environmental protection for the Nature Preserve the following provision be adopted by the Board of Mayor and Aldermen and included in the Hackett Hill Master Plan:

“Any development, including buildings, structures, driveways or parking lots, within fifty (50) feet of the Nature Preserve shall be reviewed by the Conservation Commission to determine whether there would be any impact on the preserve and, if so, what measures could be adopted to mitigate the impacts.”

- M.** Recommending that the Board of Mayor and Aldermen find property located on a portion of South Bedford Street at South Commercial Street surplus to city needs and that said property be disposed of through sale to Nicholas Bonardi, subject to conditions. The Committee notes that it finds cause to dispose of the property in such manner in that it has been determined that there are no known City uses for the parcel, and that sale of such parcel can only benefit this abutter.

The Committee recommends that such disposition be subject to consolidation of said parcel with Tax Map 274, Lot 7A; and further subject to receipt by the City of \$20,000, an amount deemed agreeable by the Board of Assessors.

The Committee further recommends that the City Solicitor be authorized to prepare such documents as may be required to carry out such disposition and that the Mayor be authorized to execute such instruments as may be required subject to the review and approval of the City Solicitor.

### **COMMITTEE ON TRAFFIC/PUBLIC SAFETY**

- N. Recommending that a request from Ms. Jo-An Concannon for the use of Arms Park on Saturday, June 25, 2005 from 3:00 to 5:00 PM for a wedding ceremony be granted and approved, under the direct supervision of the Police, Risk and Traffic Departments.

**LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.**

7. Nominations to be presented by Mayor Baines, if available.
8. Mayor Baines advised that a motion is in order to recess the regular meeting to allow the Committee on Finance to meet.
9. Mayor Baines calls the meeting back to order.

### **OTHER BUSINESS**

10. Report(s) of the Committee on Finance, if available.  
**Ladies and Gentlemen, what is your pleasure?**

11. Report of the Committee on Lands and Buildings regarding a PSNH easement for access to the Derryfield Country Club, if available.  
**Ladies and Gentlemen, what is your pleasure?**
12. Report of the Committee on Lands and Buildings regarding a request by the Highway Department to purchase property for pedestrian access across Tax Map 274, Lot 6, if available.  
**Ladies and Gentlemen, what is your pleasure?**
13. Report of the Committee on Lands and Buildings regarding the disposition of property on West Haven Road (Tax Map 922, lot 39-A), if available.  
**Ladies and Gentlemen, what is your pleasure?**
14. Report(s) of the Committee on Lands and Buildings regarding requests of Manchester Water Works for a cell tower lease agreement and purchase of 8.58 acres of land located on Kimball Drive in Hooksett, NH, if available.  
**Ladies and Gentlemen, what is your pleasure?**
15. Ordinances: **(A motion is in order to read by titles only.)**
  - “Amending Section 33.024, 33.025, & 33.026 (Ski/Aquatics Maintenance Worker) of the Code of Ordinances of the City of Manchester.”
  - “Amending Section 33.024, 33.025, & 33.026 (WWTP Operator Trainee) of the Code of Ordinances of the City of Manchester.”
  - “Amending Chapter 39: Procurement Code of the Code of Ordinances of the City of Manchester by deleting Chapter 39 in its entirety and inserting a new Chapter 39: Procurement Code.”
  - “Amending Chapter 52: Sewers of the Code of Ordinances of the City of Manchester by amending Section 52.160 (A)(2), Sewer Rental Charges and Section 52.161 Septage Service Charge by increasing the user charges and septage service charges in the City of Manchester.”

“Amending Chapter 71: Snow Emergency Regulations, Section 71.03 and 71.99 of the Code of Ordinances of the City of Manchester increasing the penalties for violation of snow emergency winter parking.”

**These Ordinances having had their second reading by titles only, the question is on passing same to be enrolled.**

16. Mayor Baines advises that a motion is in order to recess the regular meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.

17. Mayor Baines calls the meeting back to order.

18. Report of the Committee on Accounts, Enrollment and Revenue Administration, if available.

**Ladies and Gentlemen, what is your pleasure?**

19. Communication from Alvin Corzilius and Ralph Sidore seeking the Board’s approval of proposed changes to update and improve the appearance of the entrance to 150 Dow Street (Tower No. 1) as enclosed herein.

**Ladies and Gentlemen, what is your pleasure**

20. Communication from Violet Gelinas requesting the Board overrule the Zoning Board of Adjustment’s decision of December 9, 2004 relative to a request to subdivide property at 10 Charlotte Street.

*(Note: Board acted previously on this request on January 25, 2005.)*

**Ladies and Gentlemen, what is your pleasure?**

21. Communication from Richard Patterson, Jutras Signs and Flags, on behalf of Moore’s Discount Auto Sales, requesting a license to encroach a sign in airspace above the sidewalk right-of-way at 485 Elm Street.

**A motion is in order to refer the request to Building, Highway, Risk Management and City Solicitor for review and recommendation to the Board.**

- 22.** Communication from Linda Seabury, Executive Director of Big Brothers Big Sisters of Greater Manchester, requesting consideration by the City of donating a gift certificate or prize to be raffled at the 13<sup>th</sup> Annual Charity Golf Tournament to be held on Thursday, June 2<sup>nd</sup> at Sky Meadow Country Club in Nashua.

**Ladies and Gentlemen, what is your pleasure?**

- 23.** Ordinances: **(A motion is in order to read by titles only.)**

“Amending Section 33.024, 33.025, & 33.026 (Ski/Aquatics Maintenance Worker) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.024, 33.025, & 33.026 (WWTP Operator Trainee) of the Code of Ordinances of the City of Manchester.”

“Amending Chapter 39: Procurement Code of the Code of Ordinances of the City of Manchester by deleting Chapter 39 in its entirety and inserting a new Chapter 39: Procurement Code.”

“Amending Chapter 52: Sewers of the Code of Ordinances of the City of Manchester by amending Section 52.160 (A)(2), Sewer Rental Charges and Section 52.161 Septage Service Charge by increasing the user charges and septage service charges in the City of Manchester.”

“Amending Chapter 71: Snow Emergency Regulations, Section 71.03 and 71.99 of the Code of Ordinances of the City of Manchester increasing the penalties for violation of snow emergency winter parking.”

**These Ordinances having had their third and final reading by titles only, the question is on passing same to be ordained.**

- 24. NEW BUSINESS**

- a) Communications
- b) Aldermen

- 25.** If there is no further business, a motion is in order to adjourn.